

(2021) 03 JH CK 0186

In the Jharkhand High Court

Case No : Cont. Case (Civil) No. 476 Of 2020

Indrawati Devi

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 26-03-2021

Acts Referred:

Citation : (2021) 03 JH CK 0186

Hon'ble Judges : Rajesh Shankar, J

Bench : Single Bench

Advocate : Bijay Kumar Sinha, Apoorv Singh

Final Decision : Disposed Of

Judgement

This case is taken up through video conferencing. The present contempt case has been filed for initiating contempt proceeding against the opposite parties for alleged wilful disobedience of the order dated 31st July, 2018 passed by this Court in W.P.(C) No.6488 of 2016.

A show cause affidavit has been filed by Bipin Kumar Dubey, Executive Magistrate-cum-District Supply Officer, Chatra, annexing a copy of the order dated 12th March, 2020 passed by him in compliance of the order dated 31st July, 2018 passed by this Court in the aforesaid writ petition, whereby the petitioner's application for grant of P.D.S. Licence has been rejected on the ground that various documents were not enclosed with the same.

Learned counsel for the petitioner submits that the said ground of rejection of the petitioner's application is baseless, as the petitioner had submitted all the required documents before the District Supply Officer, Chatra for consideration of her application for grant of P.D.S. Licence, which were however not considered by the said authority. The information obtained by the petitioner under Right to Information Act, 2005 from the office of the District Supply Officer, Chatra confirms the said fact.

Having heard learned counsel for the parties and on perusal of the show cause affidavit filed by the District Supply Officer, Chatra as well as the supplementary affidavit filed on behalf of the petitioner, it is not clear as to whether the petitioner had submitted all the required documents before the District Supply Officer, Chatra for consideration of her application for grant of P.D.S. Licence.

Hence, I see no reason to further proceed in the matter keeping in view that in compliance of the order of this Court, the District Supply Officer, Chatra has already passed the order dated 12th March, 2020. The contempt proceeding as against the opposite parties is hereby dropped.

The present contempt case is, accordingly, disposed of.

The petitioner is, however, at liberty to take appropriate recourse against the order dated 12th March, 2020 passed by the District Supply Officer, Chatra as permissible under law.